

DEP-REF



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mitsuo KAWAJI et al.

: Mail Stop: ACCOUNTING DIVISION
REFUND BRANCH

Serial No. 10/811,963

Filed March 30, 2004

: Attorney Docket No. 2004_0491A

INVERTER CONTROLLER FOR DRIVING MOTOR AND AIR CONDITIONER USING
INVERTER CONTROLLER

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request a refund of \$1,700.00 charged to Deposit Account No. 23-0975 on May 22, 2006. The fee code indicates the charges are for an Issue Fee and a Publication Fee. Applicants assert the charges are incorrect.

Applicants' attorney received a Notice of Allowance and Fee(s) Due dated June 2, 2005, which indicated that \$1,700.00 in fees were due to be submitted within three months (\$1,400.00 for Issue Fee and \$300.00 for Publication Fee). The fees were timely paid via check no. 69112 on July 7, 2005 (copy enclosed). On September 13, 2005 a Request for Continued Examination (RCE) and Petition to Withdraw from Issue were filed and granted. Since PTO rules state that it will not refund a paid Issue and Publication Fee, it can be applied at a later time when the application goes to issue. The Applicants' attorney received a second Notice of Allowance and Fee(s) Due (copy enclosed) dated September 30, 2005, which indicated that there were no issue and publication fees to pay since they had been submitted via check previously. Again, the Applicants wished to file a second RCE and Petition for Withdrawal on December 6, 2005, which was granted. Applicants' attorney received the third and final Notice of Allowance and Fee(s) Due (copy enclosed) dated December 30, 2005, which again stated that NO FEES were due to be paid due to previous payment. This time the application was issued. It is apparent

Adjustment date: 02/16/2007 RCLEMONS
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from all documentation that the above-identified charges of \$1,400.00 and \$300.00 is improper and the PTO has now collected duplicate payment for Issue and Publication Fees.

Kindly credit the refund of \$1,700.00 to the deposit account of undersigned, no. 23-0975. If there are any questions, please contact Donna Reynolds, Accounting Assistant, at (202) 721-8246.

Respectfully submitted,

Mitsuo KAWAJI et al.

By

Kenneth W. Fields

Kenneth W. Fields

Registration No. 52,430

Attorney for Applicants

KWF/dsr

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January 9, 2007

2004_0491A